

AUSTRALIAN WINE AND BRANDY CORPORATION

14 MAY 2004

INTERIM RULE – DOCKET NO. 2002N-0278
PRIOR NOTICE OF IMPORTED FOOD UNDER THE PUBLIC HEALTH
SECURITY AND BIOTERRORISM PREPAREDNESS AND RESPONSE ACT
2002

Comments

The Australian Wine and Brandy Corporation (the Corporation) has previously submitted comments and questions on the Interim Rule – Docket No. 2002N-0278 – Prior Notice of Imported Food under the Public Health Security and Bioterrorism Preparedness and Response Act 2002 (the Interim Rule).

The US Food and Drug Administration (FDA) has reopened comments on the Interim Rule.

Based on consultations with Australian wine exporters the following comments are provided regarding the Interim Rule:

- Australian wine exporters have experienced increased administrative costs (eg paperwork, time taken to enter prior notice details etc);
- Difficulties have been experienced in relation to the website. The following are some suggestions as to how the website could be improved: (1) It would be useful if the information entered in the first instance could be saved for future use; (2) Make the website more user friendly for foreign entities in relation to entry of geographical abbreviations, port of entry, entry of package types and sizes, access to wine codes etc;
- Exporters have experienced difficulty in acquiring other entities registration numbers;
- There is a lack of understanding regarding the US Customs – Trade Partnership Against Terrorism Program (C-TPAT). We would appreciate receiving further information on this;

AUSTRALIAN WINE AND BRANDY CORPORATION

14 MAY 2004

INTERIM RULE – DOCKET NO. 2002N-0276
REGISTRATION OF FOOD FACILITIES UNDER THE PUBLIC HEALTH
SECURITY AND BIOTERRORISM PREPAREDNESS AND RESPONSE ACT
2002

- We strongly support the provision of further training by the FDA on this Interim Rule;
- The Interim Rule is not conducive to the export of small quantities of wine eg commercial samples, small quantities from cellar door. We submit that small quantities and samples should be exempted from the Interim Rule; and
- It is noted that the FDA is currently taking a flexible approach to compliance with the Interim Rule. The Corporation is of the view that it would be useful for the FDA to undertake further consultation on this issue following the full implementation of the Interim Rule.